

Regular Meeting
Monday, June 1, 2015
Bloomington Civic Plaza
1800 West Old Shakopee Road
Bloomington, Minnesota 55431-3027

- 1 **CALL TO ORDER- 7 PM** Mayor Winstead called the meeting to order at 7:00 p.m.
- Present: Councilmembers C. Abrams, J. Baloga, T. Busse, A. Carlson,
D. Lowman, and J. Oleson.
- 2 **INTRODUCTORY**
- 2.1 **FLAG PRESENTATION** Mayor Winstead led the audience in the pledge of allegiance to the flag.
- 2.2 **LGBT Pride Month Proclamation** Requested Action: Mayor read and present the LGBT Pride Month Proclamation.
- Mayor Winstead read and presented a proclamation declaring June as LGBT Pride Month to Dennis Kane, Human Rights Commission Chairperson.
- 3 **CONSENT BUSINESS**
- 3.1 **Bloomington Interceptor Reconveyance Agreement** Requested Action: Adopt a resolution authorizing the City of Bloomington to accept and execute the Bloomington Interceptor Reconveyance Agreement with the Metropolitan Council, per the terms and conditions established in the Agreement.
- Motion was made by Oleson, seconded by Abrams, and all voting aye, to adopt a resolution authorizing the City to accept and execute the agreement listed above. (R-2015-59)
- 3.2 **Adopt Resolution Recommending Riley Purgatory Bluff Creek Watershed District Manager** Requested Action: Adopt a resolution supporting Jill Crafton as an applicant for appointment to the Riley Purgatory Bluff Creek Watershed District Board of Managers.
- Motion was made by Oleson, seconded by Abrams, and all voting aye, to adopt a resolution recommending Jill Crafton for the appointment listed above. (R-2015-60)
- 3.3 **Award of Contract: 2015-901 Storm Sewer Maintenance Project** Requested Action: Award the contract for the 2015-901 Storm Sewer Maintenance Project to Penn Contracting, Inc. in the amount of \$709,198.00, and approve various contract changes up to 20% of the original contract amount (\$141,839.60) for a total project authorization of \$851,037.60.

Motion was made by Oleson, seconded by Abrams, and all voting aye, to award a contract to Penn Contracting, Inc. for the 2015-901 Storm Sewer Maintenance Project in the amount of \$709,198.00 plus up to 20% of the original contract amount (\$141,839.60) for various contract changes for a total project authorization of \$851,037.60.

**3.4 Accept Revised
Petition City Project
2013-305 BCS Phase
2B Adopt Resolution**

Requested Action: Adopt a resolution declaring the revised petition adequate for City Project 2013-305 BCS Phase 2B (residential) Infrastructure Improvements.

Motion was made by Oleson, seconded by Abrams, and all voting aye, to adopt a resolution to Declare Adequacy of a Petition for City Project 2013-305 Bloomington Central Station (BCS) Phase 2B (Residential) Infrastructure Improvement Project. (R-2015-61)

**3.5 Award of Contract:
2013-305 BCS Phase
2B (Residential)
Infrastructure
Improvement Project**

Requested Action: Adopt a resolution awarding the 2013-305 BCS Phase 2B (Residential) Infrastructure Improvement Project to Ryan Contracting Co. in the amount of \$920,985.75 and approve funding for various contract changes up to a 20% contingency of the original contract amount (\$184,197.15) for a total project construction authorization of \$1,105,182.90.

Motion was made by Oleson, seconded by Abrams, and all voting aye, to adopt a resolution awarding the 2013-305 BCS Phase 2B (Residential) Infrastructure Improvement Project to Ryan Contracting Co. in the amounts described above. (R-2015-62)

**3.6 Utilities Fund Increased
Appropriation**

Requested Action: Increase the budget appropriation in account 6100 665504 57030 by \$99,119.83 representing final payment to the Minnesota Department of Transportation under Cooperative Construction Agreement No. 89326 for watermain relocation associated with the T.H. 35W and T.H. 62 construction project. Total cost to the City for this work was \$888,747.01.

Funding for this agreement was initially budgeted for in conjunction with the construction project in 2006 and had been carried over multiple times in anticipation of final completion. Funding was ultimately allowed to go back to the Utility reserve until such time that the project was completed and accepted by MnDOT.

There is sufficient fund balance for this adjustment as the funds were anticipated as part of the 2006 agreement.

Motion was made by Oleson, seconded by Abrams, and all voting aye, to increase the working capital balance in the Utilities Fund as described above.

**3.7 Diseased Tree Removal
for Districts #1, 2, and 4
– Approve Award of
Contract**

Requested Action: Award contracts for 2015 public and private diseased tree removal in Districts #1 and #2 to North Star Tree Care, Inc. in the not-to-exceed amounts of \$115,270.00 and \$80,805.00, respectively.

Award contracts for 2015 public and private diseased tree removal in District #4 to Golden Leaf Tree Service in the not-to-exceed amount of \$35,795.00.

Motion was made by Oleson, seconded by Abrams, and all voting aye, to award contracts for the 2015 public and private diseased tree removal in Districts #1 and #2 to North Star Tree Care, Inc. and for District #4 to Golden Leaf Tree Service in the amounts as described above.

**3.8 Regional Information
Sharing Systems Memo
of Understanding
Approve**

Requested Action: Approve the Memorandum of Understanding between the Minnesota Bureau of Criminal Apprehension, the Mid-States Organized Crime Information Center, the Western States Information Network, and the City of Bloomington through its police department, on behalf of the Regional Information Sharing System (RISS) regarding participation in the RISS Officer Safety Deconfliction System.

Motion was made by Oleson, seconded by Abrams, and all voting aye, to Memorandum of Understanding between the City of Bloomington and the agencies listed above.

**3.9 Meeting Minutes City
Council-Approval**

Requested Action: Approve the following regular meeting minutes as presented: February 23, March 16 and April 6.

Motion was made by Oleson, seconded by Abrams, and all voting aye, to approve the minutes for the February 23, March 16 and April 6, 2015 Regular Council meetings as presented.

**4 PUBLIC COMMENT
PERIOD**

**4.1 Response to Prior
Meeting's Public
Comments**

City Manager Jamie Verbrugge explained the comments made by Sally Ness at the last Council meeting were similar to previous comments she's made regarding the Dar Al Farooq Youth and Family Center (AFYFC) at 8201 Park Avenue South so no follow-up by staff is necessary. He said staff is, however, still researching some of her previous questions from another meeting regarding the use of that property.

4.2 Public Comment

Speaker #1: Sally Ness, 8127 Oakland Avenue South
Her comments related to the new Joint Use Agreement (JUA) the City recently approved and the statements made by the City and Council that the new JUA is better than the previous agreement that was in place. She again showed photos of late night traffic at AFYFC. She said that's not good for the neighborhood. She said the new JUA allows parking throughout the night at the Smith Park parking lot. She again referenced a City document in which staff had indicated several items were "Not previously provided," which she claimed had been provided in the past. She referenced the City Code regarding park use. She quoted from City Council minutes and minutes from a Development Review Committee (DRC) meeting regarding AFYFC before they came into the neighborhood. She referenced the Cross Parking Agreement. She stated Smith Park is being treated differently than other parks because the City is allowing privileges to AFYFC that are not afforded to other parks. She said the JUA is not better than the previous agreements.

Winstead said staff will need to respond and clarify some of her points.

Speaker #2: Joseph Goral, 8434 Girard Avenue South
 He requested some assistance from the Council in his desire to have a "No Truck Traffic" sign installed at 84th & Girard Avenue South, as he said, "Girard is the official truck entrance to I-35W." He's talked to Traffic Engineering and the Police Department about this issue and named all of the trucks that use that road. He's been a resident on Girard since 1971. He reported there are young children living on his street and he's seen vehicles reach a speed of 86 miles per hour on it. He said people living in the apartment complexes to the north use Girard Avenue like it's a raceway. Police officers have been out there on many occasions. He said this is a City street. It was not intended to be an entrance to the freeway. He talked about animals being killed on Girard and fears a child will someday be killed due to the excessive speeds. He wants the City to do something about this problem. He said it's a crisis situation and requested the City install a "No Truck Traffic" sign at 84th & Girard Avenue South.

Winstead stated he will ask staff to review and determine what mitigating efforts can be done, if any, by the City. Staff to respond to Mr. Goral and will respond at the next Regular Council meeting.

Speaker #3: Jerry Gilkeson, 8520 Emerson Avenue
 He lived on Girard Avenue when it was blocked off. He said if the City closes off Girard Avenue, traffic will go down Emerson and he doesn't want that.

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| 5 | LICENSING DIVISION:
PUBLIC HEARINGS | None. |
| 6 | DEVELOPMENT
BUSINESS: PUBLIC
HEARINGS | None. |
| 7 | TRANSPORTATION &
UTILITY
IMPROVEMENTS:
PUBLIC HEARINGS | None. |
| 8 | ORDINANCES: PUBLIC
HEARINGS | None. |
| 9 | OTHER: PUBLIC
HEARINGS | |
| 9.1 | Resolution Approving
Amendment to 2015
Fee Schedule | <p><u>Requested Action:</u> Adopt a resolution amending the 2015 Fees & Charges Schedule.</p> <p>Verbrugge explained the revised Fees & Charges Schedule relates to a fee created by the Parks & Recreation Division adding a Grandparent Rate season pass to allow grandparents to purchase resident rate seasonal pool passes for their grandchildren, ages 2-15 years of age.</p> <p><u>Motion was made by Busse, seconded by Oleson, and all voting aye, to adopt a resolution amending the fees and charges for services provided by departments and divisions of the City of Bloomington (other than those otherwise established by ordinance. (R-2015-63)</u></p> |

No public testimony was received.

**9.2 Organized Collection
Public Hearing**

Requested Action: Conduct a public hearing required by Minnesota Statute regarding the potential implementation of Organized Collection of waste material in Bloomington. The public hearing was set by the City Council at its May 18, 2015 meeting. The hearing has been properly noticed in the City's legal newspaper and has been published in several news articles and on the City's webpage.

Included with the materials provided to Council was the Foth Memo that was also shared with the City Council on May 18, 2015. It's a summary of the haulers most recent proposal. It was noted the prices outlined in the memo are the prices that will be paid to the haulers and are not the total rates that will ultimately be charged to residents. The proposed rates to be charged to residents include City costs to administer the program and are tabulated in the Press Release and Frequently Asked Questions that were also provided in the agenda item.

It is anticipated the City Council will not take formal action on this item tonight, but rather will wait to take action on Organized Collection at the June 22, 2015, Regular City Council meeting.

Public Works Director Karl Keel presented the staff report summarizing where the organized collection process is at today. His presentation included the following slides:

- City Priorities for Organized Collection: Social, Environmental & Economic
- History: Current process started 2.5 years ago beginning with a Draft Solid Waste Management Plan. Staff has negotiated with the haulers and the City Council formed an Organized Collection Options Committee (OCOC). On May 4, 2015, the City Council set tonight as the date for the public hearing on the haulers' proposal.
- Organized Collection Process
- Hauler Negotiations: Began last fall. Face paced and productive. Current proposal meets nearly all City parameters. It was a good faith process.
- 4/30/15 Hauler Proposal: City wanted to roll in the Curbside Clean Up process. Proposal extends the curbside clean up until after 2016. Organics to be offered at a cost of \$2 per household depending on Council's direction.
- Haulers' Proposal continued: \$17.50 cart exchange fee, 2% collection rate adjustment every other year beginning the third year of the contract. The total rate charged will be the cost of collection and the cost of disposing of the materials (tipping fees). Final contract has not yet been drafted, as there are small details yet to be finalized.
- Weighted Average Residential Cost: \$17.49 plus a \$1 for billing and administrative costs for a total of \$18.49/month. (30% less per month than what residents are currently paying on a weighted average and slightly less than what others are paying in communities that have organized collection and have reached an negotiated contract with their haulers.) Will result in approximately \$2.5 - \$2.6 million in savings per year for Bloomington residents.
- Bloomington's Current Open Hauling Rates based on the Resident Invoice Survey (graph) (Based on 275-person survey results)
- Haulers Proposal Summary by Trash Cart Size: Average proposed rate of \$18.49/month.

Council comments/inquiries:

Winstead asked about an optional yard waste cart.

Keel replied yard waste would be a subscription service at a cost of \$6.63/month. That service is only performed during non-winter months (April – November) but customers are billed for 12 months.

- Potential Next Steps: Take up consideration of organized collection at the June 22, 2015, City Council Regular meeting.
- If approved, implementation of the program to occur between July 2015 and March 2016 with service estimated to begin in April 2016.
- Public Input Opportunities: Public will have an opportunity to submit written input to staff or Council through June 19. Staff is currently updating the City's webpage with a tab on the front page. That's the best place to get information. Council has received many e-mails and staff has received many phone calls on this subject.
- Hearing Guidelines: Commenters to sign up at the table in the atrium area outside the Council Chamber to get a number. Commenters were asked to introduce themselves, be respectful and address their comments to the Mayor. They were given two minutes. Comment cards were also available for the public to leave written comments.

Regarding the issue of a petition, City Attorney Sandra Johnson explained a mailing, not generated by the City, was sent to Bloomington residents. She said the City is not hosting any petition but private parties are. She said no petition would have legal significance at this time because it's too early in the process. It could, however, have political significance. For an initiative petition, the proposed petition language needs to be approved by the City Attorney's office, which has been submitted. Until the language has been approved, it can't be on the petition. If the petition is for a referendum, the cart is before the horse, as the Council has to have previously enacted an ordinance that citizens want to retract or recall. She said without a City ordinance on the books at issue, the signatures on a proposed referendum petition are not of legal validity at this time. The petitioners must wait until there is approved proposed ordinance language to do an initiative petition. That proposed language must be on the petition so citizens know and understand what they are signing. For a referendum, she said the Council must enact an ordinance, which is a few steps down the road.

Verbrugge reminded the audience to be respectful of one another's opinion on this important issue when others are speaking.

Winstead said this is a hearing for the possibility of accepting a negotiated agreement with the garbage haulers and there are many nuance issues to be considered. He said those will be included in any agreement going forward.

Keel mentioned some of those nuance issues include the suspension of service for snowbirds, valet service for handicapped individuals and those that are unable to bring their carts down to the curb at no additional charge, etc. Those are details that have been discussed and will be included in the final agreement.

Winstead added if residents have a legitimate alternative for service, they could apply for an "opt out" of the organized collection program.

Oleson asked what happens if a hauler(s) want to exit this consortium arrangement or another company wants to participate. Keel said the City is working with all seven haulers and each would retain the same market share they currently have. He said if a hauler wants to exit the program, there will be a provision to distribute that hauler's stops throughout the rest of the haulers. He reported it will be a 5-year contract so during that time, no new haulers can be added until the agreement expires.

Busse said there is a 2% rate increase proposed every two years plus a Hennepin County tipping fee and asked when the last was time the County increased their tipping fee. Keel replied it's been more than two or three years. Busse asked if there was anything in the agreement addressing fuel service charges and Keel replied there is not as there won't be.

Abrams asked if the yard waste option would be for an unlimited amount or so many bags per week. Keel said it's anticipated it will be for the size of the cart but there would be an additional charge for extra bags, which he said needs to be verified.

Lowman asked how much is the City paying for the Curbside Clean Up Program and how will prices be affected if the City decided not to do this program or an RFP (Request for Proposals) and how those prices have increased. Keel explained the City was paying approximately \$500,000 per year for the Curbside Clean Up Program. However, in the last year when the City went out for proposals, only one was received for \$1 million. As a result, the Council awarded a two-year contract at a cost of \$900,000 plus. He said the negotiated rate brings that cost back down to the \$500,000 - \$530,000 range, which is more reasonable. That would be the cost and it would not escalate throughout the duration of the contract. If organized collection does not go through, staff would have to renegotiate a contract for the Curbside Clean Up Program after two year and go out for another RFP or consider changing how that program is delivered.

Lowman asked who's paying for the cart change out fee of \$17.50. Keel said that one-time cost will be paid by the City out of the Solid Waste Fund.

Carlson asked about the additional \$1 fee. Keel said that would be entirely funded by a utility fund to handle all charges collected by fees to the users. He said the \$1 is adequate to handle the administration and the billing. There will be an optional service for Council to consider – organics at a cost of \$2 per household. Everyone would have to pay for it. He said there are some questions regarding whether there is capacity to handle the organics. He reported discussions continue regarding what sites will take organics but said those options are coming together quickly.

Winstead said if this goes through, maybe something will be in place by the time this is implemented.

Oleson said Hennepin County is encouraging recycling and discouraging waste. Regarding the tipping fee, he said the bulk of Bloomington's solid waste is currently going to the Hennepin County incinerator. Keel said in an open system, the haulers can bring their waste to any disposal point they choose. In an organized scenario, the waste is classified as "public waste" and the County determines the preferred disposal location, which in Hennepin County is the downtown burner. The materials are burned and converted into energy. He said the County and the City try to promote recycling as much as possible. He said there is an emphasis on how to get the organics out of the waste stream county and statewide. He said according to the recycling community, organics will be the next big recycling program. It's not a question of if but when; probably sooner rather than later.

Mayor Winstead opened the public hearing on organized collection and invited the public to speak according to the numbers they were issued at the sign-in table.

Speaker #00: Joan Kampmeyer, 9525 Wyoming Avenue South
Now is the time for Bloomington to adopt organized collection for all of the reasons stated. Quality of life will be improved. We put a high quality on the common good. Ninety percent of the cities in Hennepin County are organized for recycling; Bloomington is not. It's time for Bloomington to be a leader in the environment. This is a grass roots effort that has been underway for three years. Supports organized collection.

Speaker #01: Dorette Kerian, 10033 Oxboro Road
A new resident to Bloomington, she read her remarks. Organized collection is about the future of Bloomington. When she moved here, she was surprised she had to choose a hauler for her trash pickup. She was also surprised to see all of the garbage trucks in her neighborhood making lots of noise. She encouraged the Council to work towards a more sustainable Bloomington. Supports organized collection.

Speaker #02: Don Olson, 1313 East 94th Street
Supports the organization collection process. One downside is the big companies will try to buy out the smaller ones. He lives next to a park. Trucks are big and the kids are small. It's dangerous with kids at the parks with all of the trucks in the neighborhood. He supports this because of the cost factor. Street maintenance is a big cost to the City. Organized collection will lessen the damage to streets, which will cost him less in maintenance costs. Supports organized collection.

Speaker #03: Ernie Palmsten, 8640 Woodcliff Circle South
Spent 20 years on the Bloomington Fire Department. Bloomington is a great city but has a bad trash collection system. There can be 21 trucks up and down the streets. Supports organized collection.

Speaker #04: Scott Pentila, 8712 Park Avenue
Government has a right and a responsibility for roads, bridges and schools; services the private sector cannot efficiently do. Private sector always does a better job when a choice is involved. This is nothing more than a tax collection. The \$1 charge is a new fee. The Council is getting its fingers on more money. He said this is a disaster. The flag should be hanging upside down. Citizens are allowing the Council to take away their freedoms. He called the Mayor a socialist. This is a democracy. Said the Council is being very irresponsible to what is American. Opposes organized collection.

Speaker #05: John Love, 10200 Scarborough Road
He opposes this. What's the price he's going to pay with organized collection? It's his right to choose his hauler. He doesn't know if the phone number provided will solve his future problems. Now he makes one call. Problem is solved or he's gone. The administrative cost should go towards road maintenance. He questions whether there will be any savings. Asked about snowplows and the fumes from Fed Ex and other delivery trucks and school buses. Questioned the proposed savings of \$2.6 million for the residents. Finances are his problem. Told the Council not to worry about it. The proposed system is inflexible. It's a one size fits all. The current situation is flexible. There needs to be a citizen referendum. We're \$18 trillion in debt in this country because politicians know better than the public. Opposes organized collection.

Speaker #06: Arthur Hahn, 9708 Utica Road

He is opposed to organized collection because of the statement made by Abrams that there are no measurable effects on the road from garbage trucks. What is the cost benefit of having organized collection and saving wear and tear on the roads, as none has been put forth? He showed a graph from the City's 275 survey responses. If the City is so concerned about cost, why doesn't it go to the competitive rate, which would save the residents another \$4/month? Take the \$1 per household billing and make it 68¢. He said the City is never going to get that. Opposes organized collection.

Speaker #07: Trish Burnison, 4716 Nine Mile Creek Circle

Opposed to organized collection. It's a free country. Don't take away her freedoms. Opposes organized collection.

Speaker #08: Steve Flagg, 10256 Colorado Road

Supports the proposal. This is a service residents must pay for. The oversight of this service is the responsibility of the City. Current service is mostly good. Prices gradually go up over time but can switch haulers. Curbside Clean Up Program is a good service. Because seven haulers are licensed to provide service in Bloomington, there are many speeding and polluting trucks throughout the neighborhoods. The current trash hauling system is costing the residents \$2.7 million. Trucks are releasing lots of carbon and other gases plus there is wear and tear on the roads. Those costs are estimated to \$500,000 per year. Not much the residents can do to solve these problems. Council members are elected to represent the greater good of the community and organized collection falls into that category. He supports the Council's efforts to solve the trash problem. Supports organized collection.

Speaker #09: Jim Furber, 10011 Abbott Avenue South

Moving to organization collection will save maintenance costs and wear and tear on the roads. Last week, he counted 15 trucks from different haulers rushing up and down his street on collection day, (trash, recycling and yard waste). An organized collection system will reduce this. The additional stress on the streets will result in additional maintenance costs for the City. The City of Fridley did a study and said open collection was costing their city an additional \$175,000 per year in damage to their streets. Since Bloomington has 3.5 times the miles of streets in Fridley, the cost of open collection could result in \$525,000 worth of damage. Reduce the number of huge trucks and move to organized collection. Change can be hard but it's easier when it's the right thing to do. Supports organized collection.

Speaker #10: Tim Sandry, 9840 Colorado Road

A 25-year resident. He said there are no recorded traffic incidents regarding garbage trucks or other types of trucks because when an accident occurs with a commercial vehicle, the Police Department records it as an accident involving a commercial vehicle but not which type. We don't know how many traffic incidents there have been with garbage trucks because there is no data available. Therefore, it's hard to draw any conclusion regarding safety or the lack thereof with regard to garbage trucks. Some women won't let her children play in the yard on collection day. More trucks on the road create a higher probability of accidents. Encouraged the Council to increase safety on the streets by moving to an organized collection system; don't wait for a tragic incident. Supports organized collection.

Speaker #11: Not available.

Speaker #12: William Morgan, 6976 Kenmare Drive
He supports organized collection. It's clearly more efficient. It will save fuel, pollution, noise, and the price will be competitive. Vote yes. Supports organized collection.

Speaker #13: Mary Rubbelke, 3208 Baillif Place
Not sure if she's in favor or against organized collection. There are two issues: wear and tear on the streets. She's lived in her house for 50 years and her street has been repaired twice. Her current cost for a 90-gallon trash container is \$14.82/month. Any proposed cost for her is going to be higher and she's retired and has to watch her expenses. Put this whole thing to a public referendum in the fall. No clear opinion given.

Speaker #14: Phyllis Dunlop, 8624 Colfax Avenue South
Opposed to organized collection. Since 911, citizens have given up so many rights they can't get back. This is one more right the government is taking away. We need to maintain our freedom of selection. Opposes organized collection.

Speaker #15: Gregg Thompson, 9124 Kell Avenue South
Pricing offered by the latest proposal will save the average household approximately 30% on their trash bill. He said the proposed 2% increases in years 3, 5 and at 7 and 9 if the contract is extended. That's compared to the annual 12-20% increases he's experienced in the open system. He said Bloomington residents will save \$2.7 million annually or an average of \$103 per residential household. That's like getting a \$103 tax break. He chooses to save \$103 because this is a commodity service. He hasn't seen any difference in service between his haulers. This could be a welcome break for seniors and those on a fixed income. Move towards organized collection and save the residential households a lot of money. He supports organized collection.

Speaker #16: Sylvia Woldum, 10101 James Road
She's a 58-year resident. She is opposed to organized collection. She likes her garbage man. He's been good to her. They've always taken her bags of leaves at no extra charge. She's agreed with every speaker that opposes organized collection. It's not fair to the residents. She should be able to choose her hauler and doesn't think organized collection would be fair to the little guy haulers. Vote no. Opposes organized collection.

Speaker #17: Lisa Brodsky, 3725 Shepherd Hills
A 20-year resident. She supports organized collection. Too many trucks on the roads creating noise and air pollution. Her street is a feeder street for haulers; even on days it's not her collection day. Said the cost for her yard waste collection tripled this year. She would appreciate a 2% increase every other year. She thinks five years is too long for a contract and would prefer to see it bid every 2-3 years. Be sure and keep the Curbside Clean Up Program; it's the best day of the year. Supports organized collection.

Speaker #18: Mike Beaulieu, 10230 Pleasant Avenue South
He's heard a lot of whining from people tonight. He said when all of the haulers are lumped together into one barrel, the big guys will end up on top and there will be no control over price. Said a fuel surcharge is added onto the current bill. He said \$14 looks good but when an \$8 or \$9 fuel charge is added to it, the bill will be \$22, \$23, or \$24.50 per week or \$100/month. No clear opinion given.

Speaker #19: David Nelson, 2606 West 84th Street
He is opposed to organized collection. He asked about the process used to determine this. He saw nothing about organized collection in the City's bulletin. Who collects the money? He likes his trash hauler. If he doesn't like him, he can fire him. Trucks on street – he lives across from Northwestern Health Sciences so there are many delivery trucks on his street. The trash trucks come by one morning a week. He sleeps through it. The money the City is talking about in savings is what he spends on Pepsi. Who determines the greater good for the city? Shouldn't the residents have the freedom of choice? He hopes there is a referendum. Opposes organized collection.

Speaker #20: Greg Joseph, 8315 14th Avenue South (Attorney)
He doesn't like bullies. Said the citizens are being bullied by this plan. Families and children will be destroyed by it. The haulers have families. Asked if the City did a study on the economic impact organized collection will have on the community. What happened to diversity in this case? Isn't there diversity among trash haulers? Aren't seven companies better than one? Let the citizens decide who they want. Why has the City hidden this from the citizens for so long? Why is this the first time in a year the citizens have had the opportunity to comment on this? You've made a lot of people upset by this. Listen to them. He applauds Councilmember Abrams' bravery on this. Opposes organized collection.

Speaker #21: Kevin Anderson, 8306 Oxborough
A 25-year resident. He is opposed to this. He received a card from his garbage hauler a couple of months back listing the Council members' names so he called Busse, Winstead, Abrams and Baloga. He heard back from one member; Cynthia Abrams. If the Council members were his garbage haulers, he'd be on to the next hauler. He said the Council is not held to the same standard as the private sector. If you look at the \$2 organic charge – in 10 months, we might have to do it. If you look at \$2/month; that's \$24/year. After a 2% increase, that charge will be \$24.48/year. Why is it so sideways? The private sector has the gumption to return phone calls to make sure they're providing service to their customers. He asked Council to provide the service the citizens elected them to do. Opposes Organized Collection.

Speaker #22: Jerry Gilkeson, 8520 Emerson Avenue
Glad he didn't take his petition out for signatures; he'll save it. Girard Avenue isn't any worse than Emerson. The streets are made to handle the traffic. His hauler's trucks run on natural gas so they're quieter and pollute less. When the Citywide Curbside Clean Up Program started, City crews did it on a Saturday. They were paid time and a half. Someone decided it was better to pay Waste Management's crew time and a half rather than paying City crews time and a half to haul it. Said there is nothing magic about Saturday and suggested the Curbside Clean Up Program be moved three weeks later and do it on a Monday when City crews are already on the payroll. It would give people another two days to put stuff out on the curb. There is nothing magic about Saturday. It would save money if City crews did it on Mondays. Opposes organized collection.

Speaker #23: Rachel Keller, 9831 10th Avenue South

A 31-year resident. All she hears is flawed, fees and tragedy. She won't let her kids play when there's a garage sale in the neighborhood. She's been playing the hauler game for 15 years. They organized a single hauler on her street to get a break. Is there going to be a slow increase in price? Is it going to stay that way? In 15 years, will we be paying \$30-\$40 for garbage? Will we have to pay for garbage services for those who can't afford it to be sure everyone has garbage pick up? Asked if people who choose not to have garbage pick up will get charged? If there's garbage left at the end of her driveway, she calls her hauler and they respond. Who will take her complaints with organized collection? Look at all those things. If it's not broken, don't fix it. Opposes organized collection.

Speaker #24: Michael Guinee, 1925 West 92nd Street

An 18-year resident. He's played the garbage game and found a hauler who has the best price and service. He doesn't want the City to make a decision for him and his family. There is more at stake here than just cost. He will pay more to keep his hauler. He doesn't get behind government getting involved in a service that the private sector already does for less. He's afraid the organized hauler will push out the little guy. His yard waste pick up is unlimited and pays less for that service than what is being proposed as is the same for his recycling and trash costs. He opposes organized collection.

Speaker #25: John Jaimez, 8433 Quinn Avenue South

Has worked in the recycling profession for years. The process the City has followed is laid out in State statute. The current proposal was negotiated by the City and the seven current residential haulers. This will be a much better deal for the majority of the residents. The benefits of organization collection are real. He said the most comprehensive study of organized collection that's been done in the state was conducted for the Minnesota Pollution Control Agency in 2009 to develop quantitative data comparing the open and organized collection systems. Those findings and research concluded the following regarding organized collection: On average, citizens saved \$100 per year with organized collection, \$400,000 was saved on reduced wear and tear on the streets, and recycling rates were increased by 15% with organized collection. Nearly 75% of the cities nationwide have organized collection. The most important choice is which approach to solid waste collection in Bloomington brings the greatest benefit to its residents and overall quality of life. Choose organized collection so citizens can start reaping the benefits of the proposed plan. Supports organized collection.

Speaker #26: Leslie Swenson, 2517 West 95th Street

She received the postcard from the haulers. She looked at the facts and did some research. She went to the study done for the MPCA. She hears lots of opinions and thoughts but not lots of facts. She read from their research. This is from an actual study: The average savings for a resident is \$100 per year with organized collection. Nearly 8% of the roadway in high traffic areas is due to garbage trucks. A Roseville study indicated streets will last 5-10 years longer without so many trucks. Savings to each Roseville household of \$20 - \$40 per year in reduced road maintenance costs. Cities with organized recycling systems produce more recycling per household. This kind of garbage collection system helps recycling. Said there are myths about small haulers being edged out. Supports organized collection.

Speaker #27: Karen Nordstrom, 9123 Forest Hills Circle

She agrees with others in support of organized collection. We're lucky to have garbage collection. Her neighborhood is a cul-de-sac and one of her neighbors enlisted support for one hauler for their circle. Then Garbage Man made an offer they couldn't refuse. Their trucks are smaller.

Nordstrom said the City shouldn't have allowed so many haulers to service Bloomington in the first place but that's free enterprise. With regard to the PMP Program (Pavement Management Program), everyone would be saving a lot of money on street reconstruction. People can't afford to have their streets reconstructed. Supports organized collection.

Speaker #28: Marion Sandfort, 8225 Knox Avenue South
She and husband are opposed to organized collection. They like the ability to choose their hauler. They're paying \$15.85/month; less than the proposed cost. They like their garbage man. Asked if the other delivery trucks on Bloomington streets could be reduced. Asked the Council to carefully consider what it's doing. Opposes organized collection

Speaker #29: Linda Meyer, 10741 Chowen Avenue South
A 45-year resident. She is opposed to organized collection and agrees with the other speakers. She likes the flexibility of choosing her hauler. She's had the same hauler for 28 years. She calls up her hauler if she gets a rate increase and they usually end up reducing her rate. She pays less than any of the proposals on the sheet. She said regarding yard waste collection, it was stated there would be an extra charge for bags. She doesn't get charged now for putting out 20 bags. They take whatever she has. Said that's not fair to switch that out. She's concerned about the little garbage guy. How is he supposed to get bigger in Bloomington? Don't take away her right to choose a hauler or at least have a referendum and let the residents choose who they want. She doesn't want the Council to make her choice. Opposes organized collection.

Speaker #30: Tricia Fischer, 8312 Vincent Avenue
She is a Christian conservative. Why don't you just let the citizens vote on this? Why is the Council trying to push this through? Will Council say next they can only shop on Wednesdays? Why is the government getting involved? Opposes organized collection.

Speaker #31: Not available.

Speaker #32: David Carroll, 10422 Briar Circle
Has a problem with not being able to choose his hauler. His circle sits on a hill. Said one of the largest haulers in Bloomington would let some of their garbage fall from their truck onto the street. Their new hauler will get out of the truck to make sure everything gets picked up off the ground and put into the truck. If Council decides on the hauler, he won't have that choice. Said he'll be consistently calling whatever phone number is provided. They're paying well below the costs that have been outlined. Put it up for a referendum and let the voters decide. Opposes organized collection.

Speaker #33: Jeff Choquette, 10949 Abbott Avenue South
Commented on his high regard for Councilmember Abrams speaking up. Said haulers are required to be licensed to operate within the city of Bloomington. Rather than organizing and reducing choices, tell the current haulers not to charge their customers more than \$14/month. There is more the City could tell them rather than taking away citizens' choices. The City could tell them where to dump their garbage. Said he's been composting for years; it just takes common sense. He read a quote from the Sun Current a month ago in which a Council member said, "we as members of the city, don't have a right to choose about the managerial and operational decisions in the city." He disagrees and said this is a choice the Council needs to make asked that it be put to a referendum. Opposes organized collection.

Speaker #34: Nick Marentic, 5033 Overlook Circle

He supports organized collection and applauds the Council and staff for bringing this up. The facts speak for themselves. Don't let the anti-government rhetoric get in the way of doing what's best for the city of Bloomington. He just moved back to Bloomington. Said all of the other cities he's lived in had organized collection. Said he didn't know so many people had such an intimate relationship with their hauler. He will save money with organized collection and it will save wear and tear on the streets. Said the environmental issues are important. He applauded Abrams for supporting some of the citizens' views but asked Council to move forward with organized collection and not give up the fight. Supports organized collection.

Speaker #35: Xavier Bicott, 5000 West 109th Street

Looking back to April 7, 2014, after he ran for City Council, he attended some City Council regular and study sessions. He talked about City Council policy update Item 6.1 on the April 7th agenda, stating the City was deciding if it wanted organized trash collection on the survey sent to the residents. He quoted the City Manager regarding a question that was going to be added to the survey regarding organized collection. He said the City Council chose not to include the question on the survey after previous surveys indicated people liked their garbage collection. He continued to quote some Council members at that meeting and said he had the related timestamps during the meeting. He said government is representative of the people. He elects people to defend his liberty and his choice; not for them to impose choices on him or others. He is willing to stand up and defend those others' choices as well. Said his wife is a great negotiator and they get great garbage rates. This isn't just about trash hauling and garbage. It's about people's freedom of choice. Put it to a vote and let the people decide. Opposes organized collection.

Speaker #36: Robin Baumann, 7301 West 106th Street

Something like this shouldn't be based on a few people and a few garbage invoices. This takes away her right. Doesn't believe the costs presented to the public are accurate. She believes residents will be paying more. She encouraged neighborhoods to organize themselves. If the City wants to do this, hold off on making this decision to find out if this is what the majority of the residents want. She suggested the City put a yes/no question in each water bill to get the results. She said this will be a daily reminder of what the City has forced upon us. Opposes organized collection.

Speaker #37: Chuck Waletzko, 10049 Harrison Road

A 35-year resident. They love this city because of the great work of the City Council. He strongly supports organized collection. His rates might go up but thinks garbage service will be more efficient. Common sense for the common good. He thanked the Council for their courage in doing this and said keep doing the right thing. Supports organized collection.

Speaker #38: John Crampton, 1401 West 102nd Street

A 31-year resident. Organized collection will be a good thing for Bloomington and future generations. It will reduce the carbon emissions associated with trash collection significantly. Instead of 21 trucks polluting the air there will only be 3. This will be an environmental improvement. Limiting the number of trucks, miles driven, and the amount of fossil fuels burned helps reduce pollution. The City's affordable plan does that. It will educate the residents and stimulate recycling and composting which will reduce greenhouse gases. He doesn't care who picks up his garbage but wants a clear, affordable way to recycle metals and materials and compost organic garbage. The City's plan does that for 30% less than what residents are paying. The time to act is now. Supports organized collection.

Speaker #39: Bob Gust, 8616 Sandro Road

He's very conservative. Years ago there used to be one hauler. Garbage hauling should be in the same category as police and fire. He's glad the proposal has finally come forward. He would like it to be part of his property taxes so he could deduct it. Residents elect Council members to make these decisions for the citizens and he respects them. Doesn't want everything to go a referendum every time there is a controversy. That's what the Council is for. Supports organized collection.

Speaker #40: Elizabeth Pillai, 7920 West 94th Street

She called Councilmember Carlson and he called her right back. She lives on a cul-de-sac. Her daughter's bus stop is at the end of the cul-de-sac. She said the Aspen garbage truck backs up 200 feet on her street every time they pick up. There are 18 trucks in her neighborhood. She and her daughter were standing at the bus stop when a Randy's truck backed up. They would have gotten hit had they not moved. She organized her neighborhood and they went with Republic. She thinks Burt's will be fine. She organized 20 homes at a rate of \$12.91/month and a fee of \$50 for annual unlimited yard waste. She thinks the City's price should be better. Supports organized collection.

Speaker #41: Marilee Jennissen, 3119 West 88th Street

She is strongly opposed to organized collection and wants a choice. Competition in the market ensures the best price and service. If City government gets involved in this service, the outcome will be higher prices and less service. She said Bloomington's pricing will try to change the residents' behavior. For example, if the City creates a standard for recycling and she is deemed as someone who doesn't recycle enough, she might have to pay more. She read the reasons given by the Council for organized collection and said they are not based in fact. She read through a letter she recently received that was a City document. She said according to the letter to the City Council from the City's solid waste management project team dated July 11, 2014, it says, "organized garbage collection will have no material benefit to pedestrian safety, road maintenance, or pollution." Said the vast majority of Bloomington citizens who have provided feedback on organized collection are opposed to it. She'll question the Council's motives if this moves forward despite the majority of citizens being against it. She urged the Council to stop this process now. Opposes organized collection.

Speaker #42: Joel Jennissen, 3119 West 88th Street

He thanked everyone for showing up; which indicates an engaged citizenry. Stated Bloomington has a city manager/city council form of government and the mayor and council members are elected to represent the voice of the citizens and not dictate every detail of what the residents are allowed to do. The data suggests the overwhelming majority of residents favor open collection. Between two-thirds and three-quarters of the residents are firmly against organized collection. It's time for the Mayor and Council to listen to the people. He attended the OCOC meetings and it was said several times, "we're going to affect behavioral change through pricing models." He said that's not what city councils are supposed to do. They're supposed to do the basics of what is good for the City ... water, roads, etc. He said the document his wife previously cited disproves all of the Council's goals for organized collection. He said everyone should read what the City is saying behind the scenes and then listen to what the Council says. The Council should stop this process because it's not beneficial to the city. They've shown there is nothing there. Otherwise, put it on the ballot. He opposes organized collection.

Speaker #43: Oats Settle, 8740 3rd Avenue South
She wants a choice. Don't take away her right to choose. The \$1/month administrative fee is an extra \$12/year. She currently pays \$25/quarter for trash collection and said the City's plan is almost 3 times higher. City says composting is down the road. Said the administrative position and salary to keep this moving forward will come out of the property tax dollars and too much has already been wasted on this effort. This could have been put to a vote and all this money saved. Asked if there was a need for this or not. She commended Councilmember Abrams and said she will get re-elected. Opposes organized collection.

Speaker #44: Dave Erickson, 3131 Overlook Drive
There have been lots of changes in Bloomington since the 1950's. He attended school in Bloomington and loves it here. Grew up in a family with a small business. He's owned a small business since 1968. Said small businesses survive in spite of what the government does. Trash collection is a good example of the free market working. He loves his trash hauler. Said the trash hauler drivers are a courteous group of commercial drivers. This will be an injustice to the community if the Council takes away the citizens' right to choose a hauler. This problem doesn't need to be fixed. Opposes organized collection.

Speaker #45: Kay Dennis, 5009 West 98th Street
Thanked Council for the time, effort and research that's gone into this. She doesn't need to choose who plows her street and who fixes them. She appreciates the City finding a better way to pick up her trash. She knows two people in another city who lost their children in front of their homes; killed by service vehicles. It hasn't happened here but it could. Vote yes. She supports organization collection.

Speakers #46 & #47: Alan & Debbie Schneider, 7160 Kenmare Drive
They've been residents of Bloomington for over 50 years. They appreciate the great job Bloomington has done. He said June is the 800th anniversary of the Magna Carta. It celebrates freedom. Said this is such a departure from what the City has usually done. This is a political decision. The least the Council can do is put this to a vote. Stated the Art Center was put to a vote of the residents. It barely passed but it was put to the citizens. Don't cram this down people's throat. Opposes organized collection.

Debbie Schneider thanked Councilmember Abrams. Said she's a Paul Revere. Commented statistics lie. This is about freedom; the right to choose. Said our forefathers died to keep the Constitution. Whenever she hears "it's for the common good," you're in trouble. She thinks of Russia, Hitler, Cuba, etc. It's very seductive to give up one's rights but said there is no end to it. America is a democracy and democracy is the way to go. No dictatorship for her. Opposes organized collection.

Speaker #48: Mr. Geil, 9236 2nd Avenue South
There was no garbage service when his parents first moved to Bloomington. The City didn't let the citizens vote when garbage service first started. He supports organized collection. Trucks create noise pollution with their squeaky breaks. Trucks cause cracks in the walls of houses. Asked if everyone got the lowest price, as some have stated, would the haulers still be able to operate. Said collective bargaining has always resulted in the best price. That's why we have unions. Supports organized collection.

Speaker #49: Deb Suhsen, 8518 2nd Avenue South
She's opposed to organized collection. The proposed cost is more than she pays. Asked about the \$17.50 for a new cart and who will be picking up the old cart. Who's going to pay for the 2-year contract she already has. Let the citizens vote for it. She opposes organized collection.

After hearing from almost 50 people, Winstead said there appears to be many common themes. He said he won't shut down the process but wanted to take a 5-minute break.

Council took a 5-minute recess.

Winstead said approximately half of the people wishing to testify have done so and many have said the same thing or something similar. He said if others want to say they agree with the comments expressed by others, it would expedite the process.

Speaker #50: Daniel O'Neil, 9230 Riverview Avenue South
When it comes to his household, they practice the 3R's – reduce, reuse and recycle. Said organizing the garbage at the city level would best be done at a grassroots neighborhood level. If the City wants to save on traffic, suggested reducing the number of buses on his street. Regarding environmental impact, he said this is feel good legislation but it won't save the citizens money. He believes in free enterprise and votes with his pocketbook. This is a democracy. This topic would best be served by putting it to a referendum in November. Let democracy ring. Opposes organized collection.

Speaker #51: Rebecca Shamla, 3322 Shepherd Hills Drive
She likes organized collection but not with the current contract unless yard waste is addressed. Said it won't be a savings for most Bloomington residents. She hasn't seen the numbers of people who have unlimited yard waste but that's what keeps her with her current provider. No clear opinion given.

Speaker #52: Not available.

Speaker #53: Dennis Kane, 4653 Heritage Hills Circle
Congratulated the Council on its efforts regarding organized collection and said he supports the proposal. He lives on a cul-de-sac with eight homes so there are eight haulers. Mentioned some of the trucks pick up garbage but some just use his cul-de-sac to turn around. His choice is to advocate for the City's efforts. Supports organized collection.

Speaker #54: Andrea Eaton, 7700 Bush Lake Drive
She and her husband support organized collection. There are 70 houses on her street and they'd like to see garbage collection organized. They would have tried to organize their street before but it's a big job. Supports organized collection.

Speaker #55: Not available.

Speaker #56: Steve Munoz, 5631 Hyland Greens Drive
He doesn't agree with organized collection. He's had the same hauler with no price increase for four years. Said the proposal is just a new fee. Opposes organized collection.

Speaker #57: Not available.

Speaker #58: Tom Hulting, 6717 Auto Club Road
Said they're empty nesters. They generate less than half a small grocery bag of garbage. Said they couldn't fill a 30 gallon container in one month with the garbage they generate. Asked Council to think about the senior citizens who generate no more garbage than that and maybe share a garbage can with someone else and split the cost. That's a significant number. Those people will see their rates double not to mention the people who take their trash to work and dump it with the company's permission. This initiative takes away people's choices. He's only had yard waste one time in 40 years; not multiple months per year. He mulches his grass and weeds; it's good for the grass. Said it's noteworthy that two of the sitting Council members are not subject to organized collection. Believes voting for organized collection would be a disservice to the residents, as it would eliminate their choices. Opposes organized collection.

Speaker #59: Jim Engebretson, Nicollet Avenue South
A 9-year resident and letter carrier. He thanked Abrams for her vote. If they like their trash hauler, they can keep him. He observes garbage trucks in his job while delivering mail and doesn't see a problem. He said garbage trucks are no worse than other trucks on the road. He lives on a snow emergency route on Nicollet Avenue and said plow drivers are going 30- mph in the winter and he can hear them. Garbage trucks do not have a large steel metal blade they're pushing down the pavement. He said with all of the talk about wear and tear on the roads asked what kinds of roads is Bloomington building. He appreciates his garbage hauler. Opposes organized collection.

Speaker #60: Elizabeth Dostal, 4525 West 88th Street
20-year residents. They were surprised they had to choose a hauler when they moved to Bloomington. Commented there are seven haulers now so when will that number end. She supports organized collection to save on the roads and the environment. She's hoping there will be unlimited yard waste. Supports organized collection.

Mayor Winstead thanked those who have spoken for their respectfulness and for keeping to the time limit.

Speaker #61: Dick Kalkmann, 9573 Xylon Avenue South
He referred to the cost graph presented by staff and said the City's financial analysis is fundamentally flawed. Said the data used to determine the average rate for a Bloomington residential customer is unreliable. The sample size of 275 out of 38,000 households is unreliable. It's 0.75% of the households. No business making an important decision would do that with a sample size of 0.75%. Looking at the chart, from a statistical standpoint, there is a lot more weight on the right hand side of the chart compared to the left. He said the average is not a good representation of what that characteristic is. With this kind of chart, a median is the best representation of what the central tendency is. He said the median rate is \$21/month. That says half of the people are paying less than \$21/month and half are paying greater than \$21/month. Said the benchmark of the cost of \$18.49 should be benchmarked against something closer to \$21.00 than it is the number you're using. The City's cost savings are grossly over estimated. When looking at the blue line regarding an estimated monthly bill, the people on the left are paying less. The small users will be subsidizing the large users. Is that really what the Council wants to do? His answer is no. Opposes organized collection.

Speaker #62: Not available.

Speaker #63: DeAnna Eckerdt, 9901 Wentworth Avenue South
A 22-year resident. She's opposed to this because she's a customer of the trash haulers and they're customers of the city. She's good at negotiating. She doesn't want that control turned over to the City. Again stated the residents are the City Council's customers. Opposes organized collection.

Speaker #64: Carol Zaagsma, 9125 Morgan Avenue South
She's spent most of the evening in the overflow room. Said she was embarrassed by the behavior in there. She had hoped everyone would abide by the same courtesies requested by the Mayor in the chamber but was not. She came with comments with erroneous assumptions from news sources and was going to reject the plan but thanked the Council for providing a more comprehensive plan. She now supports organized collection. Her only question is about unlimited yard waste. Said the plan accomplishes what she values; less traffic, which results in some ecological benefit. She's intrigued about the prospect of organics recycling. While this plan will result in a higher cost, she said it will reduce traffic in her neighborhood. Supports organized collection.

Speaker #65: Dan Hallberg, 9425 Woodbridge Road
He lives in a townhouse and his association has contracted with a single hauler so he is exempt from the organized process. He's very interested in the OCOC process and the impact it will have on Bloomington's 26,000 homeowners including his former neighbors. He said speaker #61 nailed it perfectly. The cost savings are overstated and not valid. He's paid an average of \$15/month over the last four years. He finds it hard to believe the average household pays 78% more than what's he's been paying. Said the City's proposal is not a good deal for his former neighbors. Said the Council is operating from data that only the haulers have and they won't give it up. Said the lowest monthly cost for Bloomington residents would come from a single hauler contract with the City rather than a consortium of haulers. He believes the Request For Proposals option should be pursued and recommended the City do that. If the residents lose their freedom to choose, they should be guaranteed the lowest price for garbage collection. It would make the OCOC proposal more digestible. With regard to the consortium proposal for a 5-year contract with a 5-year renewal, recommended the contract be for five years but then open it up for competitive bidding for a single hauler. It would give the smaller haulers five years to transition their business out of Bloomington or combine with another company. It lets the marketplace decide rather than the City Council. He agreed putting this to a citizen vote might be a good idea and suggested it be done during the primary election. The primary elections have been notoriously low and this would get the voters out. He wished everyone good luck and said he hopes it's a win/win situation for everyone. No clear opinion given.

Speaker #66: Not available.

Speaker #67: Roger Rivard, 1607 East 88th Street
He opposes the proposal, as those rates would be higher. He pays \$240/year with his current hauler but it would go up to \$254/year with the City's proposal. He was disappointed that the negotiation process didn't do that well for the City. Questioned how this will play out in the future with everyone locked into a certain market share. Said it won't matter if they do better or worse. He asked how someone would enter into this market. Stated years ago there were three haulers. He asked how new haulers could be added if the contract locks the City in for five years. Opposes organized collection.

Speaker #68: Dennis Meyer, 8625 Kell Avenue South
He is opposed to organized collection. Thanked Councilmember Abrams for delivering the flyer that got them to do this. Said he agrees with the comments made by the following numbered speakers: 5, 6, 13, 14, 18, 21, 23, 24, 28, 29, 30, 32, 33, 36, 41, 42, 43, 47, 58, 61, 65 and 67. Opposes organized collection.

Speaker #69: Tom Farrell, 9133 2nd Avenue South
Is firmly against organized collection. He showed something that was dropped off at his door by Republic. He currently has Waste Management. He said Republic would be a good option and asked about options to suspend service in the proposed agreement. He was shocked that the Council members didn't want to send out a survey because they didn't want to get back certain responses. That tells him there is an agenda going on here. While there are some people who recycle organics, he doesn't believe there are that many. Now the City is going to make everyone pay \$2/month for a service they don't want. He requested the Council put this to a referendum or maybe there's a citizens grassroots referendum out there. Don't waste \$1 million on this process. Opposes organized collection.

Speaker #70: Ray Crump, 8808 Colfax Avenue
As a long-time Bloomington resident, said it's unfair to take a right away from the people. He doesn't change haulers even when they propose better deals. They voted for the Council but now they can't vote for their trash hauler and that's bad. He's lived here for 53 years. He said if Council does this to him, he'll move out of Bloomington. Opposes organized collection.

Speaker #71: Jon Eagle, 10625 Vessey Road
When he was 7 years old, his friend was run over by a garbage truck in St. Anthony. Said a law was passed prohibiting garbage trucks from backing up. Said his company in Bloomington has hired a company but they ripped them off so they decided to change haulers. He said two guys came to his business and asked him why he changed garbage haulers. He doesn't want either of those two guys to get any of his money but said they still work in Bloomington. He wants to pick his own hauler so he can change if he needs to. Opposes organized collection.

Speaker #72: Cathy Hills, 8942 York Road
An 18-year resident. Said the City has spent a lot of money and time seeking a solution. Asked what the incentive is for haulers to provide good service to the residents if they're just getting a set amount fee. What is her recourse if she's not satisfied with their service? She doesn't believe all haulers are equal. Last year she had a huge amount of garbage. Her hauler explained how she should put it at the curb and said the new hauler ended up picking it up for free. Her hauler has taken good care of her. She wants the research provided to be independent research and not research provided by the City. It needs to be reliable. Said put this to a vote and let the public weigh the risks with an open mind. Commented her confidence has been eroded by what she's heard this evening. Opposes organized collection.

Speaker #74: Cornelius Austin, 2332 West 110th Street
He has always chosen his hauler and he's played the hauler game a couple of times. It's worked for him. Regarding the financials, said the small service biweekly is \$.50 cheaper than weekly. It should be a lot less; not \$.50 less on a small garbage can. He currently pays \$12/month. He likes being able to choose who picks up his garbage. He chooses to shop at stores that aren't in Bloomington like Aldi that can't get into Bloomington. Said the noise doesn't bother him and it doesn't seem like that many trucks drive down his street. He opposes organized collection.

Speaker #75: Dianne Schiltz, 8641 Queen Avenue South
Said this was her first Council meeting. Commented her mother lives in west Bloomington and her mother's potholes get fixed faster than hers and her roads get plowed faster than hers. Said asked if west Bloomington will get the nicer, newer, and quieter garbage trucks. Said her kids go to a private school so she doesn't have to say what district she lives in. Asked the Council to put this to a vote. She's afraid she'll get the bad hauler with the noisy trucks like she gets the old postal trucks compared to the ones who deliver in her mother's neighborhood. Opposes organized collection.

Speaker #76: Not available.

Speaker #77: Adam Faris, 10516 Kell Avenue South
A 2-year resident. Said this discussion about taking away residents' freedom of choice will cause him to think about living elsewhere. He said it's not difficult to play this game. They can get a pretty good deal on their garbage by making a call to their hauler every 12-24 months. Commented he works in construction. Said if he were to get together with other contractors and divide out the city on who would take bids in which areas, he would be thrown in prison; that's collusion and bid rigging. He thanked Councilmember Abrams for being a lone voice. He said it's been shown that the statistics have holes in them, as it will take the same number of trucks to pick up the trash. He told Council to take the time and give the public an opportunity to vote on this. Said the Council worked for the citizens' votes to get on the Council so give the citizens the opportunity to vote on this. If the public votes for this, then that's fine. Said it's clear there are some Council members that don't value what the public is saying. Allow the citizens to have a voice on this issue. Opposes organized collection.

Speaker #78: Craig Nordstrom, 5301 Mt. Normandale Drive
A 40-year Bloomington resident. Reported they've had approximately seven haulers. He said the marketplace dynamics work well. Newer small companies have a tendency to be the shining point. They get business and they grow because they meet the market demand. All the things the larger older companies don't do well. Stated his changes came about because he couldn't get the service and price that was fairly common in the marketplace. When a system is put in place for five years, it's hard for the new businesses to get in there. Asked how they can develop their clientele if there is no way for the share numbers to change. The system gets locked up and change doesn't take place. He said changes only come about from market pressure change so don't take that away by locking up the process for five years. Let the market help guide the future. Commented companies keep raising their rates while the youngest and newest companies tend to have the best prices. He asked the Council to keep that alive in Bloomington. Opposes organized collection.

Speaker #79: Tom Holtzleiter, 10630 Queen Circle
He said organized collection is desired by those individuals who have nothing to do but reduce the number of trucks on the street. He asked why the Council is bending over backwards to lessen the five trucks on the street. People say they don't have to choose the plow drivers so why should they worry about choosing their garbage hauler. He said people do choose their snowplow drivers. The City plows the streets but who cleans out their driveways. They choose them. He said it's hard for a Council member to tell parents their kids shouldn't be running out in the street in front of trucks. Tell them to teach their kids to look both ways. That's a risk of living in the city. Opposes organized collection.

Speaker #80: Bernadette Hansen, 11317 Kell Road
She believes in freedom of speech and freedom of choice. Said today's environment has changed. She would prefer to make her own choices rather than the government making them for her. Because of the environment at work, people are looking for more choice. She said there are a lot of baby boomers and that number is going to increase. Look at Minneapolis. They only have one hauler but look at their roads. Those trucks have double axes. She talked to three to four people who live in Minneapolis about what they pay for trash collection. Reported one woman was paying \$50/quarter and now pay \$50/month. She said that lady doesn't have a choice. She commented people are putting off buying houses in Bloomington to see how this goes because they want a choice. Small companies treat their customers like people. She's happy with the smaller guys and said it's the smaller companies that keep things rolling. The bigger companies are into the numbers. She asked Council not to take away their choice of hauler, as it will cause people not to want to live here. Opposes organized collection.

Speaker #81: Not available.

Speaker #82: Not available.

Speaker #83: Tim Dennis, 5009 West 98th Street
If trucks can be reduced, there will be 86% less noise, pollution and wear and tear on the streets and 86% less chance children could be killed. Vote yes. Supports organized collection.

Speaker #84: Matt Keehan, 10136 Columbus Avenue
Became a first-time home buyer five years ago. Said his garbage costs will go up with the proposed plan. He asked about the sample size of 275 people surveyed and how many questionnaires were sent out. He opposes organized collection.

Speaker #85: Not available.

Speaker #86: Doug Bruce, 9850 Edgewood Road
He is a former Planning Commissioner. He thanked Councilmember Carlson for his work in his district. He thanked staff for all of the good work they've done to bring this issue forward. He looks forward to organized collection in Bloomington. Commented he's the only one who is paying more than everyone else for trash collection. He's a fiscal conservative so supports organized collection from a financial point of view. He suggested the City put it out to an RFP. Was concerned with putting this out to a vote of the people stating Bloomington has a council representative form of government and the Council members were elected to make decisions for the citizens. He said vote yes. Supports organized collection.

Speaker #87: Karen Shragg, 11307 Rich Circle
A 20-year resident. She's the recycling coordinator for the City of Richfield. She's done a lot of research and said there are pros and cons to this. It's a real problem and it needs to be solved. If organized collection is done well, like in St. Louis Park, people would be satisfied with the saving of wear and tear on the roads. She invites her neighbors in Bloomington to choose a better world/environment with less pollution and carbon. She likes choice but the choice in haulers is a bit of an illusion. Supports organized collection.

Speaker #88: Russell Burnison, 4716 Nine Mile Creek Parkway
He's for freedom of choice, which is needed in Bloomington. He doesn't want to be told who will pick up his garbage. Price is his business. Every individual should make their own choice regarding price. It shouldn't be the Council's responsibility to look after individuals. The information regarding safety is debunked. There would have been a lot more people here had it not been on a night of graduation. This needs to go to a vote by the voters. No one campaigned about reducing choices for the residents by going to one hauler. Opposes organized collection.

Speaker #89: Jason Tiffany, 4716 West 111h Street
He's opposed to organized collection. Regarding negotiations, the prices are quite a bit higher than he is paying and that's a disappointment. There is no provision for complaint resolution. He's not sure it will be that efficient. Opposes organized collection.

Speaker #90: Paul Zebott, 10409 Zenith Avenue South.
A 9-year resident. His first time in city hall. This proposed change is a reason why people are having problems and distrust with government. He said there's no studies by the City on this; no cost benefit analysis. He's a financial analyst with an actuarial science degree. No private business would still be in business based on the City's one study and guessing. This is a "make you feel good" effort but it's something the government shouldn't do. While some have said it will save him money, he didn't ask anyone to do that. If he wants to overpay; that's his right. Why is the government trying to save him money from a private business? If it's about pollution control, why not mandate public transportation, carpooling, etc. The City's only given selective instances. Why not put Fed Ex into zones. Some said they don't know their hauler. He likes his hauler. He asked the Council to be open to thinking about what they've heard tonight and to re-evaluate their decision if they don't put it to a citizen vote. Opposes organized collection.

Speaker #91: Steve Dale, 7401 Izaak Walton Road
He understands both sides. He's in favor of reducing traffic and pollution but feels there are flaws on the pricing. He sent in his bill for the analysis. It wasn't a scientific study. People were asked to send in their bills. He is on the high end so it skewed the numbers. He appreciates the Council tackling this issue. We need to reduce the number of trucks on the road but we need to get to a better contract than what is being proposed. No clear opinion given.

Speaker #92: Not available.

Speaker #93: George Barbato, 8717 Colorado Circle
Keel said something that raised a flag for him. He's read all of the proposals but now Hennepin County is involved. He said none of these haulers go to the downtown burner unless they're forced to. Many of them go to Shakopee. How much more will that add to the cost to go downtown. Said the burners put out mercury, which he won't be bothered by but said east Bloomington residents will. The waste they have there is hazardous. Have you looked at the environmental impact of that trash burner? He's all for free enterprise. He doesn't like what the Council is doing. He's currently paying \$13.80/month so his rates would go up by 50% with the City's proposal. Opposes organized collection.

Speaker #94: Janet Elling, 9820 Xerxes Curve
38-year resident. She opposes organized collection. She's a law abiding citizen who follows the rules and she's a court reporter. She respects the police and fire departments, the City Council and City government but she doesn't respect what's happening here. She's never seen anything like this and is very disappointed. She said what got her out of her chair and drive over here was the rude way in which the fourth person who spoke was treated. She said she was disappointed and surprised to see one of the citizenry treated so rudely. She told the Mayor to listen to the tape, as it probably wasn't his intention. That's not his reputation. She commented on the \$2 charge for organics and asked how much the blue bags will cost. What about those that need four blue bags? What will that cost? Will the raccoons tear up the blue bags and spread the organics all over the city. She claimed having all of the haulers negotiate the rate is price fixing and said the Council is encouraging it. She believes that should be done by private bid and not through negotiations. She asked about how the percentage of customers will be divided up among the haulers if they get a certain percentage. Do they only get one neighborhood one day a week? She asked how that will affect their employees. She questioned why the City's street repair project was occurring on Wednesdays; the same day of the week the garbage in her neighborhood gets picked up. Opposes organized collection.

Speaker #95: Susan Schmidt, 8907 Abbott Avenue South
She didn't intend to speak but she wants her voice to be heard. She respects the fact that the City Council is listening to all of the public speakers tonight. She questioned how she would know that Council members went out and sought the residents' opinions. She said the citizens weren't provided with enough information or there wouldn't have been as many questions asked. There appears to be a lot of specifics lacking. She believes this matter should go to a referendum and that each household should receive information from the City containing the specifics on the cost breakdown regarding vacation leave and other fees so she can be a high information voter. She said is a responsible voter. Opposes organized collection.

Speaker #96: Not available.

Speaker #97: Not available.

Mayor Winstead said that was all of the names from the speaker sheets and asked if anyone else wished to address the Council on this issue.

Speaker #98: Dick Reynolds, 2310 Tower View Circle
A 70-year resident who's been in his house for 49 years. He remembers when he first had garbage service for \$18.50/year. Now it's a lot more. Regarding road wear, he can see where the plows are wearing down the roads, as the snowplow is right on top of the pavement. You can hear the blade scrape along the top of the road. He'd like to see the wear and tear on the roads comparing garbage trucks and City snowplows. Let's compare apples to apples on what's wearing down the roads. He believes snowplows cause the most wear and tear on the road. He's like to see lower collection rates. He doesn't think this will go to a referendum vote. He recalled the last time the voters wanted a referendum for the new stadium. He said they knew it would be turned down. He said the City Council knows this would be turned down if it went to a vote of the people. He said he knew early on in the public comments that this issue would not be going to a referendum and that it will pass. No clear opinion given.

Winstead said that's all of the speakers so now it's time for the Council to discuss the next steps. He had pages of notes and comments he said will be answered going forward. He said in addition to all of the comments already submitted and tonight's testimony, Council will continue to take written comments through June 19.

Motion was made by Busse, seconded by Baloga, to close the public hearing for organized collection even though there are people who attended high school graduations tonight and couldn't be here to testify. Those people are encouraged to send their comments to the Council via e-mail through June 19. Motion passed 5-2 (Abrams and Lowman opposing).

Lowman said it was his understanding at the last Council meeting that the public hearing was going to be continued to the June 22 meeting.

Winstead restated Council will be accepting comments between now and June 19 and this item will come back on June 22.

Oleson said there is a call for more information and asked what that process will be. Verbrugge said it would be helpful for staff if each Council member would review their notes and provide him with a list of which items they desire more background, data or context so staff can get working on it. The more time staff has to evaluate it the better.

Winstead said regarding yard waste pick-up, there appears to be a predominant practice of an unlimited amount. He wants to know how that will be worked into a proposal, as the price being discussed appears to be higher than what people have anticipated. He said Council needs to reflect on the math that was used to figure it out. He wants answers to these questions and others before he makes a decision and encouraged the Council to submit their questions as soon as possible.

Oleson said in some respects it doesn't feel right about putting this to referendum and he will consider that as this moves forward. He's concerned about how this issue has become a divisive issue. He would like to see it come to a resolution. He doesn't agree that the hearing has gone smoothly. He said a healthy democracy works best when people are open. It's important that everyone commit to getting good information and understanding different points of view.

Carlson said people commented a 5-year contract is too long and that it should be less so it could actively be put out for a bid on a regular basis to get the best price. He said people should call around to get a better price. He said many people, including him, could do better on the price they're paying by shopping around. This is the haulers' proposal because the consortium brought this proposal to the City. He asked if everyone got the flyer put together by the Garbage Haulers for Citizen Choice, which he said is a political action committee. What concerns him is that some of Bloomington's haulers are members of the Haulers' Choice consortium. He questioned how they could be negotiating in good faith with the City while being actively engaged with an organization whose purpose is to oppose organized collection. He said that doesn't square up with him. He said the Council isn't wed to this proposal and price is part of it. He'll have some further comments with Council reconvenes on June 22.

Verbrugge said he heard during the hearing the suggestion of collusion among haulers in terms of fixing the price. He explained this is a complicated and complex process that is dictated by State statute. The Legislature changed its process a couple of years ago. It memorialized this negotiating process with the haulers. The statute actually sanctions collusion for the purpose of negotiating with the City. For those who suspect the haulers are up to some illegality in terms of price fixing, it is not an illegality, it's a process that is defined by statute that allows them to work together to come to terms for an agreement.

Baloga said the issue of service was brought up several times. What to do on quality of service if someone has a problem with service; how will it be addressed. There is the accuracy of the survey results. He doesn't know how to deal with that one. He said the public was requested at three or more Council meetings to send in copies of their garbage invoices to the City so a profile of what people are paying could be created in the Briefing, Sun Current and on the City's website. He said the result was 275 conscientious citizens who were willing to share that information. Now people are bringing to light they don't trust this information. He doesn't know how to go about trying to verify that data to a greater extent and asked if the City wanted to put out another call for this information, which would take more time and might result in a few more responses. He said the City is also looking at what other communities have as far as information to look at the verbosity of the prices created by that survey.

Winstead said according to the consulting firm that works in this region, the information submitted from those 275 respondents is typical of what they've seen in other communities and in the market place. He said the goal wasn't to find "statistically perfect" data and he's comfortable that how the 275 households responded is what's occurring in Bloomington.

Baloga said people will probably contact their haulers to try and get the best rate possible but that's not information the Council can make choices on. He's done that. He's called his hauler and heard there is an introductory rate for new customers for a period of six months; similar to what Comcast does. The first six months are low but the next six months are a lot higher. He's still wrestling with what to do with the price comparison other than looking at the pricing of other comparable cities. He said the consortium is scared. They get a lot of people to pay a lot of money for their services. This is not Bloomington's issue alone. It's a far greater issue. Other city councils are looking at Bloomington to see what is being done. He said the haulers out there are making a lot of money, as this is one of the most profitable businesses out there. It's far better than most other industries and they want to keep it that way. They're going to fight hard to keep it that way in the metro area. He said some of the information has been downright incorrect. Many people who contacted him after the first mailing thought it was the City's intention to do the actual hauling, which he said is incorrect. He asked people to filter the information they receive and decide who they want to trust ... the consortium or the people working for the citizens of Bloomington.

Lowman asked if either of the two haulers who had offered to open up their books a couple of months ago ever did. Verbrugge replied they did not. Lowman said he'd like to see the commercial data regarding accidents and safety. He'd also like to know the effects snowplows have on the roads. He was also interested in the Curbside Clean Up Program and asked about City staff having performed this service in the past and why it doesn't work that way anymore. He desired having some options for the Curbside Clean Up Program if the City isn't looking at that and it's not part of this discussion. He wants to know what the alternative options are for that program.

Oleson said Council indicated early on its desire to give the current haulers the opportunity to continue. He said a couple of the speakers talked about the option of going to an RFP process and said he heard concerns from some people early on about a monopoly resulting in either event. If people want the cheapest rate, which not everybody does, should an RFP be put back on the table? Maybe that's not possible given the statute process and where this is at in that process.

Winstead said that's something for consideration and Council should be given that information so it can be discussed and resolved on June 22. Whether Council moves forward with the negotiated contract or not and what the next step would be.

Busse added his concern to the 275 sample size, which isn't large enough or statically significant. He read from the Council meeting minutes in which Gregory Burt, owner of Burt's Disposal, offered to open up his books. He said Mark Stoltman, CEO of Randy's Environmental Service also offered to show the City his numbers. He said if the City is interested in more numbers to bolster the 275 household sample size, there are two offers the City should take them up on.

Winstead said staff should take those two haulers up on their offers to bolster the numbers. He said the Council has given staff direction and this will be back on June 22 for more Council discussion and possibly action. He thanked everyone who participated in the public hearing for their respectfulness stating it was a good hearing process.

10 ORGANIZATIONAL BUSINESS

10.1 City Council Policy & Issue Update

The City Manager had no issues to report on.

Lowman wished his mother a happy birthday.

Oleson commented he attended the MSP Regional Indicators Dashboard last Friday morning which was well represented by City staff. It's a new name for a previous general concept; finding out where Bloomington ranks compared to its competitive cities in the Twin Cities. He said it's important the City works well with the business community and we took a step in that direction by sending a survey to them. He'll provide the City Manager with copies of this information. Verbrugge said that information is available at greatermsp.org.

11 ADJOURN

The Mayor adjourned the meeting at 11:25 p.m.

Barbara Clawson
Council Secretary